

**United States District Court
Western District of Washington
Tacoma Division**

John Doe #1, an individual, **John Doe #2**, an individual, and **Protect Marriage Washington**,

Plaintiffs,

v.

Sam Reed, in his official capacity as Secretary of State of Washington, and **Brenda Galarza**, in her official capacity as Public Records Officer for the Secretary of State of Washington

Defendants.

No. 3:09-CV-05456-BHS

The Honorable Benjamin H. Settle

Plaintiffs' Amended Notice of Appeal

Notice is hereby given that Plaintiffs John Doe #1, an individual, John Doe #2, an individual, and Protect Marriage Washington hereby appeal to the United States Court of Appeals for the Ninth Circuit from the Order of the United States District Court for the Western District of Washington, entered on October 17, 2011, (Dkt. 319), and the Court's Judgment, entered on October 17, 2011,¹ (Dkt. 322), granting summary judgment in favor of Defendants and Intervenor and denying Plaintiffs motion for summary judgment.

Plaintiffs' Representation Statement, as required by Ninth Circuit Rule 3-2, is attached to this Notice.

¹ The Court's Judgment was entered after Plaintiffs' filed their initial Notice of Appeal (Dkt. 321).

1
2 Dated this 18th day of October, 2011.

3 Respectfully submitted,

4 /s/ Kaylan L. Phillips

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Representation Statement

1. Appellants John Doe #1, John Doe #2, and Protect Marriage Washington

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Certificate of Service

I, Kaylan L. Phillips, am over the age of eighteen years and not a party to the above-captioned action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On October 18, 2011, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

(1) Counsel for Defendants Sam Reed and Brenda Galarza:

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I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct.

Executed this 18th day of October, 2011.

/s/ Kaylan L. Phillips
Kaylan L. Phillips
Counsel for All Plaintiffs